

AN ORDINANCE AMENDING ORDINANCE NUMBER 2002-09-05, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF WESTON, TEXAS, BY APPROVING A SPECIFIC USE PERMIT ON CERTAIN PROPERTY IN THE CITY OF WESTON; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council of the City of Weston heretofore adopted Ordinance No. 2002-09-05, as amended, the Zoning Ordinance of the City of Weston, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 36 and Section 133 of the Zoning Ordinance, the owner of the property located at 7744 CR 209, containing approximately 6.787 acres of land has filed an application for a Specific Use Permit to permit the installation of a HUD Code Manufactured Home for use as a temporary residence during the construction of a primary residence on the same lot in an "AG" Agricultural District; and

WHEREAS, the City Council of the City of Weston, Texas, held a public hearing on May 8, 2007, with respect to the zoning change described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 133 of the Zoning Ordinance, and all other laws dealing with notice, publication and procedural requirements for the approval of a Specific Use Permit on the property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS, THAT:

SECTION 1. Ordinance No. 2002-09-05, as amended, is hereby amended to permit the following Specific Use on the hereinafter described property and area as shown below:

Approximately 6.787 acres located at 7744 CR 209, Weston, Collin County, Texas.

A Specific Use Permit to permit the installation of a HUD Code Manufactured Home for use as a temporary residence during the construction of a primary residence on the same lot in an "AG" Agricultural District for not longer than _____ months from the effective date hereof, as more fully described on the site plan shown in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. The Specific Use Permit as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 3. The official map of the City of Weston is amended and the City Secretary is directed to revise the official zoning map to reflect the approved Specific Use Permit as set forth above.

SECTION 4. The use of the property described above shall be subject to all restrictions, terms and conditions contained in Exhibit "A" as well as the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Weston.

SECTION 5. This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 6. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

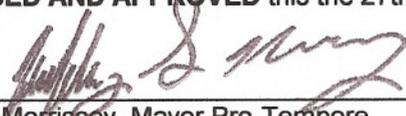
SECTION 7. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8. All rights and remedies of the City of Weston are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-09-05, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. The City Secretary of the City of Weston is directed to publish the caption and penalty clause of this Ordinance in accordance with the provisions of Section 52.011 of the Local Government Code.

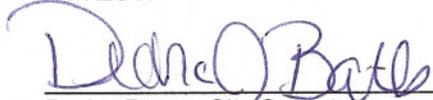
SECTION 10. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED this the 27th day of June 2007.



Scott Morrissey, Mayor Pro-Tempore

ATTEST:



Dedra Bates, City Secretary

